

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

PEARTRACY HENDERSON

PLAINTIFF

v.

3:06CV00153 JTR

JO ANNE B. BARNHART,
Commissioner, Social
Security Administration

DEFENDANT

ORDER

Defendant has filed a Motion to Remand for Further Administrative Proceedings Pursuant to Sentence Six (docket entry #8). Defendant states that significant portions of the recording of the September 29, 2005 administrative hearing are inaudible. Thus, she is unable to prepare a certified record. Defendant requests remand to hold a new administrative hearing and to issue a new decision. Plaintiff does not object to this remand.

In pertinent part, 42 U.S.C. § 405(g) (1995) provides the following:

The court may, on motion of the Commissioner of Social Security made for good cause shown before the Commissioner files the Commissioner's answer, remand the case to the Commissioner of Social Security for further action by the Commissioner of Social Security

Under the circumstances, there is good cause shown, and remand is proper.

IT IS THEREFORE ORDERED that Defendant's Motion to Remand for Further Administrative Proceedings (docket entry #8) is hereby GRANTED, and this case is remanded to the Commissioner. This is a "sentence six" remand.

IT IS FURTHER ORDERED that the Clerk shall administratively close this file.

DATED this 18th day of January, 2007.


UNITED STATES MAGISTRATE JUDGE